

COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, DECEMBER 17, 2019

SCC-CLERK'S OFFICE
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2019 DEC 17 P 2:59

APPLICATION OF

RELIABLE POWER ALTERNATIVES CORPORATION

CASE NO. PUR-2019-00198

For a license to do business as an
electricity aggregator

ORDER FOR NOTICE AND COMMENT

On November 21, 2019, Reliable Power Alternatives Corporation ("RPAC" or "Company") filed an application with the State Corporation Commission ("Commission") for a license to do business as an electricity aggregator in the Commonwealth of Virginia ("Application").¹ The Company seeks authority to market electricity aggregation services to eligible commercial and industrial customers in certain service territories in Virginia that are open to retail choice competition.² RPAC attested that it would abide by all applicable regulations of the Commission as required by 20 VAC 5-312-40 B of the Commission's Rules Governing Retail Access to Competitive Energy Services.³

NOW THE COMMISSION, upon consideration of the Application, is of the opinion and finds that it should docket RPAC's Application; RPAC should serve this Order upon appropriate persons; the Commission Staff ("Staff") should conduct an investigation of the Application and present its findings in a report ("Staff Report"); and interested persons should have an

¹ The Company subsequently amended its Application with additional information on December 9, 2019, and December 13, 2019.

² Pursuant to Code § 56-577, retail choice for electricity is only permitted pursuant to the customer classes, load parameter, and renewable energy sources set forth therein. Retail choice thereunder, exists only in the service territories of Virginia Electric and Power Company d/b/a Dominion Energy Virginia, Appalachian Power Company, and the electric cooperatives.

³ 20 VAC 5-312-10 *et seq.*

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opportunity to comment on the Application. We further find that a Hearing Examiner should be appointed to rule on all discovery matters that arise during the course of this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2019-00198.
- (2) As provided by Code § 12.1-31 and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), a Hearing Examiner is appointed to rule on any discovery issues that may arise during the course of this proceeding.
- (3) A copy of the Application and supporting documents shall be made available for public inspection in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. A copy of the Application also may be downloaded from the Commission's website: <http://www.scc.virginia.gov/case>.
- (4) On or before December 23, 2019, RPAC shall serve a copy of this Order upon the utilities listed on Attachment A to this Order.
- (5) On or before December 30, 2019, the Company shall file proof of service as ordered herein with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118.
- (6) Any interested person may request a public copy of the Application, accompanying materials, and this Order by directing a request in writing to John Martorella, President, Reliable Power Alternatives Corporation, 400 Garden City Plaza, Suite 450, Garden City, New York 11530. The Company shall, within three (3) days of receipt of such request, serve the requested documents upon the person making such request.

(7) Written comments on the Application may be filed on or before January 15, 2020, by either of the following methods. An original and fifteen (15) copies of any comments may be filed with the Clerk of the Commission at the address set forth in Ordering Paragraph (5). In the alternative, comments may be submitted electronically by following the instructions available at the Commission's website: <http://www.scc.virginia.gov/case>. A hard copy of such comments, whether submitted in writing or electronically, shall be served upon the Company at the address set forth in Ordering Paragraph (6). All comments shall refer to Case No. PUR-2019-00198.

(8) The Staff shall analyze RPAC's Application and shall present its findings in a Staff Report to be filed on or before January 22, 2020.

(9) On or before January 29, 2020, the Company and any party who filed comments on the Application may file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report.

(10) All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

(11) The Company shall respond to written interrogatories or data requests within five (5) calendar days after the receipt of the same. Interrogatories and data requests, as well as the responses thereto, shall be transmitted via facsimile or electronic mail as well as by first class mail. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice.

(12) This matter is continued.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to:

John Martorella, President, Reliable Power Alternatives Corporation, 400 Garden City Plaza, Suite 450, Garden City, New York 11530; C. Meade Browder, Jr., Senior Assistant Attorney General, Division of Consumer Counsel, Office of the Attorney General, 202 N. 9th Street, 8th Floor, Richmond, Virginia 23219-3424; Craig G. Goodman, President, National Energy Marketers Association, 895 Roberta Lane, Suite 103, Sparks, Nevada 89431; and Irene Leech, Virginia Citizens Consumer Council, 4220 North Fork Road, Elliston, Virginia 24087. A copy also shall be delivered to the Commission's Office of General Counsel and Divisions of Utility Accounting and Finance and Public Utility Regulation.

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